

The court in that case also ruled that Article 15 of the Universal Declaration of Human Rights as well as other non-binding and non-self-executing international conventions do supersede 8 U.S.C. 1481—the U.S. law under which renunciation of this country's nationality and citizenship is, in the words of the court, “\* \* \* a natural and inherent right of all people.”

In addition to the preceding legal context, the State Department's certification of his loss of nationality and citizenship was based on the fact that Mari Bras signed a statement of understanding at the time the oath of renunciation was administered establishing that he fully understood the legal consequences of his actions, and that the loss of nationality and citizenship was voluntary and intentional. Thereupon, as he had expressly acknowledged in writing in the statement of understanding, Mari Bras became a stateless alien due to the lack of any other recognized nationality.

It was obvious from the propaganda campaign and legal disputes that commenced immediately upon the return of Mari Bras to Puerto Rico, however, that this was not a case of an eccentric person relinquishing U.S. nationality for abstract philosophical reasons or as a symbolic expression of opposition to the United States. As explained below, this was part of an orchestrated effort to create a conflict between federal and local law. The objective was to undermine the current political status of Puerto Rico and establish a *de facto* separate sovereignty and nationality for persons born in Puerto Rico without going through a democratic political process of self-determination or constitutional change to accomplish that result.

In December of 1995 and March of 1996 there were press reports in Puerto Rico and major mainland newspapers about Maria Bras and other “copy cat” renunciants traveling into and out of Puerto Rico on fake “Puerto Rican passports” issued by advocates of separate nationality for persons born in Puerto Rico. The press also quoted INS officials who stated that these cases were being studied, but due to an apparent lack of policy guidance nothing was done by U.S. authorities to discourage the use of phony passports by current or even former citizens, or to accurately inform the public regarding the consequences of renunciation of U.S. nationality and citizenship.

To its credit, on February 13, 1996, the U.S. Department of State responded to an inquiry from the government of Puerto Rico with a statement establishing that Mari Bras is a stateless alien. Even then, the responsible federal agencies authorities did not choose in the case of Mari Bras to enforce the laws enacted to protect the borders and the sovereignty of the United States, as well as federal local laws restricting or regulating voting, certain financial transactions, and employment applicable to illegal aliens in the United States. In part, this may have been due to an incorrect reading of the applicable statute by local INS officers, who reportedly were under the mistaken belief a person who renounces must leave the U.S. before the loss of citizenship becomes effective.

However, in May of 1996 it was reported in the press that Maria Bras would travel to Cuba. Soon after, photographs appeared in the press of Mari Bras being embraced in the arms of Fidel Castro on June 28, 1996, at the thirtieth anniversary of an office in Havana which supports anti-U.S. activities in Puerto Rico. It was after that event that he was allowed to enter the U.S. once again, even though he had no legal right or moral justification for seeking re-admission to this nation.

In press report after press report in late 1995 and early 1996 the more grandiose di-

mensions of the Mari Bras scheme were explained in great detail. According to Mari Bras and his supporters, in addition to establishing that international travel is possible using birth certificates and phony travel documents (even after renouncing citizenship), the plan was to establish a legal premise for the assertion of separate nationality-based “citizenship” for persons born in Puerto Rico. This was to be accomplished openly through relinquishment of U.S. citizenship and subsequent exercise of the right to vote in local elections conducted under Puerto Rico law.

In furtherance of this objective, Mari Bras confirmed his voter registration in March of 1996 after he had lost U.S. nationality and citizenship. However, his voter eligibility was challenged by U.S. citizens born in Puerto Rico who were qualified to vote under the Puerto Rico elections statute. Like similar statutes in every other state and territory, the Puerto Rican election law requires U.S. citizenship in order to vote in local elections, and on that basis the qualification of Mari Bras to vote was challenged.

The case to protect the voting rights of U.S. citizens Puerto Rico was brought before the local election board, from which it was passed to the territorial trial court on procedural grounds. At that point the election officials of the Commonwealth of Puerto Rico joined in the legal action to uphold the local statute requiring U.S. citizenship to vote.

Unfortunately, the trial judge—in an opinion that seems to express separatist political sentiment more than it interprets law—ruled that it was unconstitutional for the Legislature of Puerto Rico to enact a statute requiring U.S. citizenship to vote. The judge concluded that this somehow discriminates unfairly against people born in Puerto Rico who renounce U.S. citizenship. It is reported that after this singular contribution to Puerto Rico jurisprudence the trial judge retired.

The case is now before the Supreme Court of Puerto Rico. If the Supreme Court of Puerto Rico does not dispose of the case in a manner consistent with the Puerto Rico Federal Relations Act as approved by Congress and the voters of Puerto Rico in 1952, including the federal law under which the nationality and citizenship of persons born in Puerto Rico under U.S. sovereignty is determined and regulated, then the federal courts and/or Congress will have to resolve the problem and restore rule of law.

Once the loss of citizenship was certified, the INS agents in Puerto Rico should have given appropriate instructions, so that Mari Bras would not be leading political rallies and conducting seminars in Puerto Rico and New York in which he demands that the U.S. flag be lowered before he speaks. Instead of abusing the rights of a citizenship he has forsaken in service to his ideology, Mari Bras should be finding out just how good permanent living is in Cuba under the regime of his comrade Fidel Castro.

Similarly, even though support for the Puerto Rican independence movement in local elections in Puerto Rico consistently is somewhere between 3% and 4%, independence is a valid future status option for the territory. It does not help the independence movement to allow a person who is being used by Fidel Castro to subvert the rule of law in Puerto Rico and in the name of independence to make a mockery of U.S. nationality and citizenship.

Mari Bras has enjoyed a long period of freedom to use the ordered system of liberty that other Puerto Ricans have died to protect to bring about through juridical gimmicks a result in Puerto Rico that he apparently believes he will never be able to bring about through the voting process.

Perhaps his loss of U.S. nationality and citizenship should not have been certified

due to the fact that Mari Bras intended to retain nationality and citizenship of an area that is within the sovereignty of the United States. How can a person renounce the nationality of a country and at the same time claim the nationality of territory under the sovereignty of that country? If he genuinely is laboring under the mistaken belief that there is a separate Puerto Rican nationality, should the State Department have concluded that he did not meet the intentionality test of 8 U.S.C. 1481(a)(5)?

In this regard, however, the Congressional Research Service has concluded that “Although Puerto Rican residents who renounce U.S. citizenship might argue that they intended to renounce U.S. citizenship only if they actually acquired Puerto Rican citizenship, Davis and other cases indicate that courts have not found that such conditions and qualifications in the motives of the renouncer are separate from and invalidate the basic intent to relinquish U.S. citizenship.” CRS Memorandum, “The Nature of U.S. Citizenship for Puerto Ricans,” American Law Division, March 26, 1996.

The Mari Bras theory that a U.S. citizenship requirement for voting violates natural law and the rights of man fails not due to some over-reaching federal mandate, but as a result of the principles set forth in the Preamble and citizenship-related provisions of the Constitution of Puerto Rico as approved by the voters in 1952. The local constitution states: “We consider as determining factors in our life our citizenship of the United States of America and our aspiration continually to enrich our democratic heritage in the individual and collective employment of its rights and privileges . . .”

The Preamble goes on to identify as an additional “determining factor” in the life of Puerto Rico “. . . our loyalty to the principles of the Federal Constitution . . .” This is important for many reasons, including the fact that it recognizes the requirement set forth in Section 3 of P.L. 600 (48 U.S.C. 731d) of compatibility between local constitutionally implemented measures and the federal constitution and laws.

As noted already, in the case of Davis v. District Director, INS, 481 F. Supp. 1178 (1979), referred to in the CRS analysis cited above, the court ruled that citizenship of the state of Maine did not entitle the former U.S. citizen who had made himself an alien by renunciation to remain in the U.S. even if he agreed to reside only in Maine. Rather, the court ruled that the alien must get a visa and petition for permanent resident alien status or be subject to exclusion. So it apparently will be in the Mari Bras case.

Of course, the INS has better things to do than hunt down and depot any of the approximately 100 ideological extremists who renounce their citizenship for similar reasons each year, especially when one thinks about the millions of other more serious illegal alien cases. However, if Mari Bras keeps going to Cuba to aid and abet the totalitarian collectivist regime there, the day may come when he finds the door to his homeland closed. If he ends up back in the country from which his return travel originated, it will be his own doing.

#### TRIBUTE TO GIRL SCOUT'S GOLD AWARD CEREMONY

**HON. DAVID E. BONIOR**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 29, 1997*

Mr. BONIOR. Mr. Speaker, today I would like to salute a group of outstanding young

women who have been honored with Girl Scout Gold Awards by Michigan Waterways Girl Scout Council in Port Huron, MI. They will be honored on May 4, 1997, for earning the highest achievement award in U.S. Girl Scouting. The Girl Scout Gold Award symbolizes outstanding accomplishments in the areas of leadership, community service, career planning, and personal development. The award can be earned by girls aged 14 to 17, or in grades 9 to 12.

Girl Scouts of the U.S.A., an organization serving 2.5 million girls, has awarded more than 20,000 Girl Scout Gold Awards to Senior Girl Scouts since the inception of the program in 1980. To receive the award, a Girl Scout must earn four interest patches, the Career Exploration Pin, the Senior Girl Scout Leadership Award, and the Senior Girl Scout Challenge, as well as design and implement a Girl Scout Gold Award project. A plan for fulfilling these requirements is created by the Senior Girl Scout and is carried out through close cooperation between the girl and an adult volunteer.

As a member of the Michigan Waterways Girl Scout Council, the following girls will receive their Gold Awards: Angela Campbell, Jamie Welser, Nicole Kwiatowski, Lisa Welsch, Leah Spresser, Joyce Schocke, Jennifer Schlegel, Heather McClellan, Theresa Walding, Halleé Vincent, Deborah Fields, Cari Malone, and Marylynn Lepien. They have all completed their public service projects and I believe they should receive the public recognition due for their significant service to their community and their country.

#### A SUCCESS STORY

#### HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 29, 1997*

Mr. FRANK of Massachusetts. Mr. Speaker, one thing that we do not do often enough is to go back to predictions that are made about legislation by both supporters and opponents and see whether these predictions have been born out. One somewhat controversial bill we passed recently was the General Aviation Revitalization Act of 1994, which altered liability law regarding aircraft. That legislation was strongly resisted by many who do not think we should not make any change in the product liability system in this country. I joined with the leading House proponent of the bill, the then Representative from Kansas who is now the Secretary of Agriculture. With his leadership role, despite opposition from some within the Judiciary Committee, we eventually passed the bill which became the General Aviation Revitalization Act, which the President signed into law in August 1994. I think it is reasonable to note that the consequences of that bill as of now have been entirely favorable. Thousands of new jobs have been created in the aircraft manufacturing industry, including a renewal of manufacturing of single engine aircraft. I am also not aware of any danger to aircraft safety that anyone can point to as a consequence of that act. While obviously we will continue to monitor the results of this, I think it is important to note that to date, 2½ years after its passage, the results of the enactment to this bill has been no decrease in safety,

while we have seen a significant increase in economic activity of a productive sort. The General Aviation Revitalization Act of 1994 has to date vindicated the views of those of us who pressed for it and I think it is important to note that.

#### TRIBUTE TO HIS EMINENCE ADAM CARDINAL MAIDA AND RABBI IRWIN GRONER

#### HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 29, 1997*

Mr. LEVIN. Mr. Speaker, on May 5, 1997, the Ecumenical Institute for Jewish-Christian Studies will present its Dove Award to two outstanding religious and community leaders, His Eminence Adam Cardinal Maida and Rabbi Irwin Groner.

All of the citizens of Michigan are blessed to have in our active presence Cardinal Maida and Rabbi Groner. Through their individual endeavors and their friendship and collaborative efforts, they have enriched the entire State in many ways and deepened goodwill.

They were instrumental in the establishment of the Religious Leaders Forum, which has stimulated dialog between the Christian, Jewish, and Muslim communities. Each has encouraged the spread of voluntarism to touch the lives of those beyond their own communities. They have been outspoken on society's need to attack bigotry and racism, wherever either might appear in our midst.

Of course, for both Cardinal Maida and Rabbi Groner, the wellspring of their ecumenical work has been their deep spiritual commitment to their faith. Since his appointment by his Holiness John Paul II to be archbishop of Detroit on June 12, 1990, Cardinal Maida has maintained a focus, during a period of relative prosperity for citizens living within the diocese, on the less fortunate, whether children without health care or otherwise at risk, retired priests or the seriously ill.

Rabbi Groner is the spiritual leader of Congregation Shaarey Zedek, a religious home for my family over many decades. He has been preeminent in the conservative Jewish movement in our Nation, through his writings and sermons and his executive positions on various boards.

In this day and age without global conflict but with persistent conflict and violence in daily life, it is rewarding for us all that these two distinguished people of peace are awarded for their work by the Ecumenical Institute. As one privileged to know them both, it is my honor to be able to ask today all of my colleagues to join in expressing congratulations and wishing to Cardinal Maida and Rabbi Groner many more years of service to their parishioners and to the public at large.

#### A TRIBUTE TO DOLORES COLUCCI

#### HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 29, 1997*

Mr. PASCRELL. Mr. Speaker, I would like to bring to your attention Ms. Dolores Colucci of

Clifton, NJ who is being honored by the Clifton Optimist Club.

A lifelong resident of Clifton, Dolores is one of seven children born to Dorothy and William Straub, a treadmill producer and a former airplane parts manufacturer. Her parents always advocated wholesome activity for youth, a legacy which Dolores does everything possible to continue.

A former student of Pope Pius XII High School in Passaic, Dolores decided to pursue a career in education. She graduated from Montclair State College with a bachelor's degree in education and thereafter began teaching in local schools, and subsequently obtained a master's degree in guidance and counseling from Kean College.

Dolores became involved with the local area youth in 1974, when she was a volunteer for the Girls' Club of Clifton. Two years later she became the club's executive director, and led the organization for 10 years. When the Girls' Club merged with the Boys' Club, Dolores became the new club's executive director.

As the executive director of the Boys' and Girls' Club, Dolores maintains a very busy schedule as she offers her services to many other community organizations including the Civic Affairs Committee of the North Jersey Regional Chamber of Commerce, the Clifton Inter-Agency Council, the Clifton Education Advisory Board, the Recreation Task Force, and the Strategic Planning Committee of the Clifton Board of Education.

In addition to her civic involvements, Dolores is also actively involved with projects for Zonta International, an organization for business and professional women, and religious programs at her parish, Saint Philip the Apostle Roman Catholic Church.

Dolores has been recognized numerous times for her work with youth and was honored in 1989 as Outstanding Executive by the New Jersey Area Council of Boys' and Girls' Clubs as well as being named Agency Executive of the Year in 1993 by the United Way of Passaic County.

Dolores always prioritized family. She and recently deceased husband Thomas proudly raised three children: Anne Sibiski, a kindergarten teacher at School 12 in Clifton; Thomas, a manager of a fitness store in Paramus; and Daniel, a sixth-grader at Woodrow Wilson Middle School.

Mr. Speaker, I ask that you join me, our colleagues, Dolores' family and friends, the youth of the Boys' and Girls' Club of Clifton, and the city of Clifton in recognizing the outstanding and invaluable service to the community of the Boys' and Girls' Club 1997 Youth of Year, Dolores Colucci.

#### TRIBUTE TO MS. AURELIA PUCINSKI, CLERK OF THE COOK COUNTY CIRCUIT COURT

#### HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 29, 1997*

Mr. LIPINSKI. Mr. Speaker, I would like to pay tribute to an outstanding public official and close personal friend of mine on a very special occasion, her 50th birthday.

Ms. Aurelia Pucinski, clerk of the Cook County, Illinois Circuit Court, celebrated her